

SUPERIOR COURT OF CALIFORNIA, COUNTY OF ALAMEDA

Summary of Proposed Amendment to Title 3, Chapter 1, rule 3.50 to the Local Rules

Requirement for finding reasonable diligence for substituted service

The proposed amendments to rule 3.50 of the court's Local Rules ("Rules") entitled *Requirement for finding reasonable diligence for substituted service* are part of the court's continuing effort to review, correct, and update its Rules as needed.

The proposed amendments to rule 3.50 are summarized below immediately followed by the full text with deletions noted in ~~strikethrough~~ and additions in underline.

SUMMARY

- ☐ The proposed amendments clarify good faith efforts to help determine if the requirements for reasonable diligence when attempting personal service have been met.

TEXT OF PROPOSED LOCAL RULE 3.50

Local Rule 3.50. Requirement for clerk's finding of reasonable diligence for substituted service

For purposes of Code of Civil Procedure section 415.20(b), a~~A~~ party shows reasonable diligence in attempting personal service by attempting personal delivery in good faith on at least three occasions. The party's attempts at personal service must occur on at least two different days of the week. Where the attempts at personal service are made at a person's dwelling house or usual place of abode, one of the attempts must occur before 8:00 a.m. and another attempt must occur after 7:00 p.m.~~One of the party's attempts at personal service must occur before 8:00 a.m. and another attempt must occur after 7:00 p.m.~~ If a party meets these requirements, a court clerk will find that the reasonable diligence requirement is met.